

OFFICIAL FAX 1-07-02

7 Clarke Drive Cranbury, New Jersey 08520 Telephone: (609) 409-6080 Facsimile: (609) 860-8069

FAX COVER SHEET

| To: | | | Company: | | Fax No: | | |
|-----------------------------|----------------|--|----------|---|--|-------|--|
| Examiner Janet Epps, Ph.D. | | | | US PTO GAU 1635 9-1-703-305-7939 | | | |
| From: | Katsunori Ebat | a | | Date: | 1/4/02 | Time: | |
| Direct Dial: (609) 409-3034 | | | E-Mail: | KEbata@epigene.com | | | |
| Pages including this: 12 | | 12 | | Ref. No.: | USSN 09/543,679 Our Ref. No. EPI-00671b | | |
| | | <u>. </u> | | | | | |

COMMENTS

Transmitted herewith is a response to the office action of October 4, 2002 for the above-identified application. This response was also mailed to you on January 4, 2002 under separate cover with an appropriate certificate under 37 CFR 1.8.

CONFIDENTIALITY NOTICE

The information in this fax transmission and the documents accompanying it contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individuals or entities named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone to arrange for return of the original documents to us.

I hereby certify that this correspondence is being transmitted via facsimile at **703-308-7939** and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on January 4, 2002 by Katsunori Ebata.

Signature

EPI-00671b

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Jonathan W. Nyce

: Art Unit:

1635

Serial No.:

09/543,679

:Examiner:

Dr. Janet Epps

Filed:

April 4, 2000

:Appl. Ref. No.: EPI-00671b

For:

LOW ADENOSINE ANTI-SENSE OLIGONUCLEOTIDE, COMPOSITIONS, KIT & METHOD FOR TREATMENT OF AIRWAY DISORDERS ASSOCIATED WITH BRONCHOCONSTRICTION, LUNG INFLAMMATION, ALLERGY(IES)

& SURFACTANT DEPLETION

COVER LETTER

Assistant Commissioner for Patents Washington, D.C. 20231

Sir/Madam:

Enclosed for filing are the following:

- 1. Cover Letter (1 page)
- Response (2 pages) 2.
- Marked-up version of replacement section (4 pages) 3.
- Clean version of replacement section (4 pages) 4.
- Certificate under 37 CFR 1.8 5.
- 6. Return stamped postcard

Respectfully submitted.

EPIGENESIS PHARMACEUTICALS, INC.

January 4, 2002

Date

Reg. No. 30930

Attorney for Applicant

7 Clarke Drive Cranbury, NJ 08512 Phone 609-409-3035 Fax 609-860-8069 Email VAmzel@epigene.com I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents Washington, D.C. 20231, on January 4, 2002, by Rashida Haji.

Signature